

Fleming County Project Development Board
160 West Electric Avenue, Flemingsburg, KY 41041
Record of Meeting, August 3, 2010, 5:00 pm Eastern

The meeting was called to order at 5:00 pm by Chairperson CJE Larry H. Foxworthy.
Roll call was completed as noted below.

Present: Larry H. Foxworthy, David J. DeAtley, Louie Flanery, Marvin Suit, Pam Lowe, Judge Stockton Wood. Judge W. Todd Walton II (5:08 PM)

Absent: J. Scott Brown

Other Attendees: Eddie Sorrell, Trace Creek Construction, Inc. (TCCI)
Eric Chambers, Brandstetter Carroll Architects (BCA)
Jim King, Administrative Office of the Courts (AOC)
Flemingsburg Main Street: Ben Womack, Tammy Thomas, Anthony McGlone
NCRS – Emily Anderson

Old Business A motion was made to approve the minutes from the meeting of July 6, 2010.
Motion by Flanery. Seconded by Suit. All in favor.

New Business Eddie Sorrell, Trace Creek Construction, gave the project progress update.

- A progress meeting was held on site today with architects and contractors.
- No reportable accidents on site to date.
- No contractor issues and good quality work completed.
- Erection of roof deck and pour of slab on deck activities discussed.
- Working on exterior retaining walls and grade beams placed.
- Working on drainage lines
- Framing, exterior sheeting and limestone placement after slab on deck pour
- Roofing and Dome expected to be set in September.
- Substantial completion date of late April 2011
- Final occupancy and punch list items completion estimated late May 2011.
- Corner located by American Legion Building will be fixed tomorrow and traffic safety cones removed.
- Kentucky Utilities have moved their lines underground.
- Windstream and Time Warner will start moving their lines underground and then the old posts can be removed.

Eric Chambers of Brandstetter Carroll Architects stated there were no new issues and site was progressing well.

Ben Womack presented a letter from the Flemingsburg Main Street Committee requesting the board's consideration to install pervious pavers in the sidewalks around the judicial center instead of stamped concrete sidewalks as planned. The committee's letter stated that the aesthetics of the stamped concrete compared to the adjacent pervious pavers was their concern and the committee believes that installing pervious pavers will allow continuity of design to be present throughout the downtown area and more attractive. The letter also stated that Fleming County Conservation District was awarded grant funding to offset any additional costs

incurred by the project to install pervious pavers which would reduce the amount of storm water runoff into Town Branch, if the board agreed to proceed with request.

Eric Chambers reviewed the project design for sidewalks at length and discussed advantages and disadvantages to stamped concrete vs. pervious pavers as well as maintenance issues of both types of materials.

AOC Representative Jim King stated that under AOC AP Part X, which governs judicial center projects, any change orders to the project must be a “value added” component. Mr. King believes that pavers would be considered “value added” if the appropriate type of paver was selected for AOC approval. Mr. King stated that AOC would not approve materials that would not withstand 60-100 years of service but does take into consideration the architect’s recommendation. Discussion was held regarding different types of pavers and the suitability to the project. Mr. King stated that if the board approved of the pavers installation the recommendation to AOC would have to prove affordable, functional and quantified as a “value added” feature not to adversely affect the budget.

A motion was made to authorize Trace Creek Construction to pursue an investigation of costs for both “closed” and “open” pavers for review at next meeting. Motion by Suit.

Judge Todd Walton stated as a member of the board he did not want to spend more time on this issue and that the board has previously discussed the use of pavers on several occasions agreeing to utilize stamped concrete for the sidewalks. Judge Walton does not approve of any further changes to the project that could affect the project’s schedule and that the completion of the facility was more important because of lack of current court space to conduct effective and efficient work. Judge Walton suggested that the Main Street Committee focus on renovating dilapidated buildings surrounding the new judicial center instead of being concerned with the outside conditions surrounding the project. Mayor Flanery stated there is much progress with improving the Flemingsburg downtown area and that there would be more progress in the future.

Further discussion was held regarding the Main Street Committee’s request, availability NRCS funding to offset costs of pavers, long term maintenance of sidewalks and durability if pavers were installed.

Emily Anderson, NCRS representative, stated the funding has been approved and Memorandum of Agreement has been completed. Mrs. Anderson stated the funding will be committed to the project and not through Main Street Committee and that it would cover 100% of the cost difference between stamped concrete and pavers not to exceed 60% of the total cost. The available funding requires the surface to be permeable.

Mr. Womack stated that Main Street committee does not want to affect the progress of the project but wants to work together for a common goal that would benefit everyone and hopes that the cost remains the same if not cheaper.

Discussion was held regarding if the decision was made to install pavers, would it impact the project's schedule. Eddie Sorrell stated that if a decision was reached at the next meeting, he did not feel it would cause a schedule impact.

Eric Chambers stated this was a board's decision and cautioned them that re-bidding the pavers would most likely not produce a fair market value price due to the fact that the contractor has already bid and been awarded the installation of stamped concrete. Mr. Chambers stated the contractor may impose additional fees of re-bidding and material change orders. Mr. Chambers said that he would revisit the cost exercises previously made regarding utilizing pavers in the sidewalks with Trace Creek Construction.

The motion was re-read and roll call taken.

A motion was made to authorize Trace Creek Construction to pursue an investigation of costs for both "closed" and "open" pavers for review at next meeting. Motion by Suit. Seconded by Flanery. Yea – Foxworthy, Wood and DeAtley. Opposed – Walton. Abstained to vote – Lowe. Motion Carried.

Trace Creek Construction and Brandstetter Carroll Architects were authorized to conduct a current cost review of pavers' sidewalk installation and present the analysis at the next meeting. Mr. Sorrell noted that a decision needs to be made at the next meeting for no schedule impact.

A motion was made to approve Pay Application ES-10 dated 7-22-2010 to include \$ 147,332.69 to TCCI and \$ 198,110.07 for Direct Pay Schedule A. Motion by DeAtley. Seconded by Flanery. All in favor.

A motion was made to approve Change Order 13 and Change Order 16. Motion by Wood. Seconded by Walton. All in favor. (both change orders were previously approved)

Next regular meeting will be held on Tuesday, September 7, 2010

A motion was made to adjourn the meeting at 5:55 PM. Motion by Wood. Seconded by Walton. All in favor.

Recorded By:
Tammy L. Gray